

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the present application. The Office Action dated November 6, 2003 has been received and its contents carefully reviewed.

Claims 1-20 are pending; claims 9-20 were withdrawn in the Response to Restriction Requirement of August 12, 2003. Accordingly, claims 1-8 were examined.

In the Office Action, claims 1-8 are rejected under 35 U.S.C. §101 as claiming the same invention as that of claims 1-8 of co-pending Application No. 09/986,631. Claims 1-8 are provisionally rejected under the judicially created doctrine of double patenting over claims 1-5, 8-12 and 14 of co-pending Application No. 09/986,631. Claims 1-8 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 6,115,016 to Yoshihara et al. Claims 1-8 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application 2002/0057253 to Lim et al.

Applicant notes that Lim is not valid prior art under 35 U.S.C. §102(e) because the filing date of Lim is after the priority date of November 23, 2000 of the present invention. Accordingly, Applicant submits herewith a certified translation of the priority document to perfect the claim to priority under 35 U.S.C. §119(a)-(d).

Applicant has amended claims 1 and 7 to more clearly recite features of the invention which were inherent in the original claims. In addition, Applicant notes that the claims of co-pending Application 2002/0057253 have also been amended. Accordingly, Applicant respectfully submits that the rejections over §101 and under double patenting are moot in view of these amendments.

The rejection of claims 1-8 is respectfully traversed and reconsideration is requested. Independent claim 1 is allowable over the cited references in that it recites a combination of elements including, for example, "an image signal processor controlling a lighting order and combination of the three color light sources". None of the cited references including Yoshihara, singly or in combination, teaches or suggests at least this feature of the claimed invention. The structure of claim 1 of the present invention is different from the structures in the cited references in that Yoshihara does not disclose "an image signal processor controlling a lighting order and combination of the three color light sources".


In Yoshihara, lighting order is fixed and therefore cannot be controlled (Yoshihara, column 3, lines 6-15 and Figures 3 and 4). Therefore, Yoshihara cannot disclose or suggest that the "an image signal processor controlling a lighting order and combination of the three color light sources" as claim 1 requires. Because Yoshihara does not teach, disclose or suggest this claimed feature of Applicants' invention, claim 1, and claims 2-8 which depend from claim 1, are allowable at least for this reason.

In view of the above, each of the presently pending claims in this application is believed to be in an immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. Should the Examiner feel that a teleconference would further the prosecution of the pending application, the Examiner is invited to call the undersigned at the number listed below.

The Applicant hereby authorizes the Commissioner of Patents to charges any fees necessary to complete this filing, including any fees required under 37 C.F.R. §1.136 for any necessary Extension of Time to make the filing of the attached documents timely, or credit any overpayment in fees, to Deposit Account No. 50-0911. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. §1.136 for the necessary extension of time.

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Respectfully submitted,


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